

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION**

)	CIVIL ACTION NO. 04-40092-FDS
LOUIS P. ALBERGHINI,)	
)	
Plaintiff,)	Jonathan R. Sigel
)	BBO# 559850
)	
v.)	Marcia L. Elliott
)	BBO# 564291
SIMONDS INDUSTRIES INC.,)	
)	
Defendant.)	
)	

JOINT MOTION TO EXTEND SCHEDULING ORDER

The parties respectfully move this Court to extend the scheduling order in the above captioned case as follows: allow the parties to submit their respective dispositive motions on or before June 30, 2005; allow the parties to submit their respective oppositions to such motions by July 31, 2005; and schedule the pre-trial conference, if necessary, after this Court issues its decisions on the parties' dispositive motions. Further, the parties request that the Court reschedule the status conference, which is currently set for May 11, 2005 at 3:00 p.m. As grounds for their motion, the parties state as follows:

1. Under the current scheduling order, all dispositive motions must be filed by May 15, 2005 and oppositions are to be filed by June 15, 2005 pursuant to the previous request of the parties.
2. The legal counsel representing the parties in this case also represent the parties in the case of Larsen v. Simonds Industries Inc., Civil Action No. 01-40059-NMG. The parties' legal counsel are now preparing for trial in that case.

3. Due to a family emergency of Simonds' lead counsel, Jonathan R. Sigel, the trial in the Larsen case has been continued, and is now scheduled to begin on May 9, 2005.

4. Counsel for the parties in this case will be on trial in the Larsen case on May 11, 2005, the current date scheduled for the status conference in this case.

5. For these reasons, the parties request additional time to prepare and file their respective summary judgment motions and/or oppositions to such motions.

6. Neither this Court nor the parties will be prejudiced by the allowance of this motion.

Therefore, the parties jointly request that the Court extend the Scheduling Order so as to allow the parties to file their respective dispositive motions on or before June 30, 2005; allow the parties to submit their respective oppositions to such motions by July 31, 2005; schedule the pre-trial conference, if necessary, after this Court issues its decisions on the parties' dispositive motions, and reschedule the status conference accordingly.

Respectfully submitted,



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